

**COMMISSION MEETING MINUTES**  
**Indiana Fire Prevention and**  
**Building Safety Commission**  
Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

July 3, 2007

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:00 a.m., July 3, 2007.
  - (a) Commissioners present at the Commission meeting:

Diana Brenner  
Michael Corey  
Howard W. Cundiff, Vice-Chairman, representing the Commissioner,  
Dept. of Health  
Jerry Lander, representing the Commissioner, Dept. of Labor  
Burke Jones  
David Hannum, Chairman
  - (b) Commissioners not present at the Commission meeting:

Michael Christoffersen  
Jay Gore  
John Hawkins  
Ted Ogle  
James Ridley
  - (c) The following departmental and Code Services staff were present during the meeting:
    - (1) Agency Support Services, Legal and Code Services  
Mara Snyder, Director, Legal and Code services  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Robert Robinson, Code Specialist  
Beth Sutor, Secretary
    - (2) James Schmidt, Deputy Attorney General, Counsel for the Commission

2. **Old Business.**

Chairman Hannum called for any corrections or a motion to approve the minutes of the June 5, 2007 meeting as distributed. There being no corrections, a motion to approve as submitted was made by Commissioner Corey. Commissioner Jones made the second. It was voted upon and carried.

3. **Variances.**

**Tabled Variances.**

Two variances, #07-06-57 St. Vincent Carmel Hospital, Carmel, and #07-06-59 Clifty Creek Power Plant, Madison, were withdrawn by their proponents. Two variances, #07-06-9 College Wesleyan Church, Marion, and #07-06-21(e) Honda P2MF, Greensburg, were requested by their proponents to be tabled until the August meeting. Commissioner Jones moved they be tabled, with the second made by Commissioner Cundiff. The motion was voted upon and carried. Variance #07-06-60 National Automotive and Truck Museum Service Building Sprinklers, Auburn was represented by Don Grogg. In 1967, the owner of their building removed part of the sprinkler system. When the museum took over the building, it was determined that to make the sprinkler system comply with code would cost over \$75,000 which is a large amount to a not-for-profit organization. He offered to install heat-activated fire doors and to have no fuel or batteries in the display automobiles. A concern was raised over the storage room and lack of fire alarms or sprinklers. A motion to approve was made by Commissioner Jones and seconded by Commissioner Brenner. The motion failed. Commissioner Corey moved to table for thirty days so that a cost estimate for the addition of smoke detectors to the ADT coverage for the building could be obtained. Commissioner Jones made the second. It was voted upon and carried.

**Block-vote Variances.**

Commissioner Corey stated he would abstain from voting upon #07-07-8, Washington Towers Rental Rehabilitation, Washington. Commissioner Jones then moved to approve all variances with an "A" or "B" staff review rating. The second was made by Commissioner Cundiff. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 07-07-2 Anthony Wayne Building Hose Removal, Ft. Wayne
- (2) 07-07-3 Southwest Indiana Easter Seal Society, Evansville
- (3) 07-07-8 Washington Towers Rental Rehabilitation, Washington
- (4) 07-07-12(a)(b) D&D Vending Addition, Greendale
- (5) 07-07-13 Herron High School, Indianapolis
- (6) 07-07-16 Wal-Mart Store #2276, LaPorte
- (7) 07-07-18(b) IU Data Center, Bloomington
- (8) 07-07-19 Clabber Girl Mfg. Facility, Terre Haute
- (9) 07-07-20(a)(b) 500 Walnut St. Condos, Indianapolis
- (10) 07-07-23 St. Anthony Medical Center Fire Hose Removal, Crown Point
- (11) 07-07-26(a)(b) PepsiCo-Ameriplex, Indianapolis
- (12) 07-07-27 Pike High School Pressbox, Indianapolis
- (13) 07-07-29 Napoleon State Bank, Greensburg
- (14) 07-07-30 Coventry Meadows Assisted Living, Ft. Wayne
- (15) 07-07-31 Evergreen Village, Bloomington
- (16) 07-07-33 Gospel Light Chapel, Anderson
- (17) 07-07-34(b) Clarian Arnett Hospital, Lafayette
- (18) 07-07-36(a) New Franklin Twp. Fire Station, Indianapolis
- (19) 07-07-38 Comfort Suites City Center, Indianapolis

- (20) 07-07-40(c) GETRAG Project Tequila, Tipton
- (21) 07-07-42 Lake Bruce WWTP & Sewer Improvements East, Lake Bruce
- (22) 07-07-43 Lake Bruce WWTP & Sewer Improvements West, Lake Bruce

**Regular Variances.**

The following variances were heard separately:

- (23) 07-07-1 Earlham College, Richmond

Daniel McDermott, E & D Specialty Stands, spoke as proponent. He was asked if they intended to limit the occupancy of the filming platform for the pressbox. Mr. McDermott stated the maximum occupancy of the platform would be four persons and that a sign would be posted stating the limit. Commissioner Jones moved to approve with the condition of occupancy of four persons with signs stating the limit. Commissioner Cundiff made the second. It was voted upon and carried.

- (24) 07-07-4 University Theater, Ball State University, Smoke Detection Interruption, Muncie  
07-07-5 Pruis Hall, Ball State University, Smoke Detection Interruption, Muncie  
07-07-6 Sursa Hall MIBI, Ball State University, Smoke Detection Interruption, Muncie  
07-07-7 Emens Auditorium, Ball State University, Smoke Detection Interruption, Muncie  
07-07-9 Worthen Arena, Ball State University, Smoke Detection Interruption, Muncie

Tim Kirby, safety official with Ball State University, spoke as proponent. The request was to disconnect the duct smoke detectors during programs using smoke-producing effects. He has worked with the local fire official and has developed a plan to have a fire watch in place during the programs, an electronic tech person in place to watch the system for alerts, a pre-event meeting and approval by the local fire official, and the fire department on scene for each event. After a lengthy discussion of concerns and proposals, Commissioner Jones moved to deny variances #07-07-4 and #07-07-5, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Corey moved to table variance #07-07-6, #07-07-7, and #07-07-9 with the second by Commissioner Jones to allow the proponent time to gather hardship information and to have the local fire official present. It was voted upon and carried.

- (25) 07-07-10 Ft. Wayne Target, Ft. Wayne

David Scott, Target, spoke as proponent. The request was to allow a roof slope of  $\frac{1}{8}$ " instead of the code-compliant  $\frac{1}{4}$ ", noting the roof would also be installed per manufacturer's instructions. Commissioner Cundiff moved to approve with the condition of installation per the manufacturer instruction. Commissioner Jones made the second. It was voted upon and carried.

- (26) 07-07-11 WSBT, Inc. Mishawaka

Barry Rogers, the Austin Company, spoke as proponent. Staff review had determined no variance was required in this situation in which they requested permission to connect a secondary roof drainage system to the primary system at the vertical downflow piping. Commissioner Corey moved that no variance was required, and Commissioner Jones made the second. It was voted upon and carried.

- (27) 07-07-14 Salamonina Community Center, Salamonina

Kato Smith, architect, spoke as proponent. During the restoration of a one room, historic schoolhouse, the ramp intended to provide accessibility was found to be 1 ½" too narrow to be code-compliant. The request was to allow the handrails to be of a smaller diameter and set closer to the wall to create the compliant width to avoid having to remove and rebuild the ramp. After discussion, Commissioner Brenner moved to allow the ramp to be 1 ½" too narrow instead of changing the compliant handrail. Commissioner Cundiff made the second. It was voted upon and carried.

- (28) 07-07-15 Wayne Racing, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The request was to omit a 2-hour fire barrier for the separation of an S-1 repair garage. He will comply with Chapters Three through Ten of the 2006 International Building Code. Commissioner Corey moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (29) 07-07-17 Midtown Lofts, Bloomington

Michael Snapp, owner representative, spoke as proponent. The request was to allow wood framing on the residential portion of the project as costs to comply with code would cause the project to be stopped. The proponent stated that a variance for the same issue had previously been granted for an identical project, but was not able to give further information. Chairman Hannum decided to hear the application later in the agenda to allow staff time to find the previous variance and report on it. (See Item #35.)

- (30) 07-07-18(a) IU Data Center, Bloomington

David Cook, Ralph Gerdes Consultants, spoke as proponent. The request was to allow an electronically controlled lock on the door into the center from the lobby area which was to be controlled by the staff of the Operations Center. The building is sprinklered with a travel distance of less than 100 feet. The lobby would be used upon invitation only for tours, etc., and would hold little or no combustibles. After a lengthy discussion led by Commissioner Brenner, Commissioner Cundiff moved to approve with the second by Commissioner Hannum. It was voted upon and defeated by a split vote. Commissioner Brenner then moved to deny with the second by Commissioner Corey. It was voted upon and carried with a vote of four to two.

- (31) 07-07-21 Community Church of Southport, Southport

David Cook, Ralph Gerdes Consultants, spoke as proponent. The request was to omit a voice alarm system in the fully sprinklered building. Manual pull stations are installed, and there are sufficient exits for each assembly room and occupant load. The local fire department has no objections to the variance. Commissioner Brenner made the motion to approve with the second by Commissioner Corey. It was voted upon and carried.

- (32) 07-07-22(a)(b) Witham Hospital, Lebanon

Doug Trent, RTM Consultants, spoke as proponent. The request was to omit a smoke control system from the small front lobby with shaft wall construction and sprinklered glass for variance (b). An open stair with draft curtain and close-spaced sprinkler protection was requested in (a) for the first floor stairway to enhance circulation in the area. After discussion, Commissioner Hannum moved to approve both variances with the second by Commissioner Cundiff. It was voted upon and carried.

- (33) 07-07-24 Mt. Pleasant Christian Church Community Life Center, Greenwood

Doug Trent, RTM Consultants, spoke as proponent. The request was to allow the first floor of the building to be over-area by more than 8,000 square feet. The total area of the building is within code, but the first floor exceeds the area permitted by code for a floor. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (34) 07-07-25 LaGrange County 4-H Horse and Pony Barn, LaGrange

Doug Trent, RTM Consultants, spoke as proponent. The request was to allow an open-air structure to be used for housing horses and ponies during the fair competitions to be over-area. The U occupancy building is of noncombustible metal with no heat, and 22 feet away from the nearest building. Commissioner Jones moved to approve with the condition that the building is to be used only for the stated purpose and will not be used for storage. Commissioner Brenner made the second. It was voted upon and carried with one nay vote.

4. **Breaking and reconvening.** Chairman Hannum called a short break at 10:29am. The meeting was reconvened at 10:41am.

- (35) 07-07-17 Midtown Lofts, Bloomington

A copy of variance 06-09-17, The Allegro, Bloomington, was found to have been granted for the same issue. The Model Code language would permit the requested construction. Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (36) 07-07-28 Notre Dame Multidiscipline Engineering Building, Notre Dame

Ed Rensink, RTM Consultants, spoke as proponent requesting that the mechanical penthouse, which exceeds the height and area allowed by code for a penthouse, be treated as a penthouse and not another story of the building. The building and the mechanical penthouse are sprinklered. Commissioner Cundiff moved to approve with the second by Commissioner Hannum. It was voted upon and carried.

- (37) 07-07-32 Trinity Baptist Church Addition, Westfield

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to be allowed to use non-rated, moveable partitions as part of a corridor which is required to be one-hour. The use of the partitions would give the church some flexibility in the use of the addition's floor space, allowing a classroom set-up or a large gathering space for games and fellowships. The existing building and addition would have smoke detectors, and travel distance with closed partition walls would be 98 feet. After a lengthy discussion, Commissioner Brenner moved to approve with the conditions that the moveable partitions would be one-hour rated, the exits would meet remoteness requirements and the door swings would be according to code. Commissioner Corey made the second. It was voted upon and carried.

- (38) 07-07-34(a) Clarian Arnett Hospital, Lafayette

Rodney McCulloh, RTM Consultants, spoke as proponent. The request was to allow the use of a thirty second delay on various egress doors to create a security perimeter on each floor. The building will be fully sprinklered and have a corridor smoke detection system. The doors will release at the activation of the fire/smoke alarm system and loss of power. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Corey. It was voted upon and carried.

- (39) 07-07-35 K & M Holdings, Zionsville

Christina Colleston, RTM Consultants, spoke as proponent. The request was to omit the sprinkler system which code requires for storage of combustible liquids in excess of 13,000 gallons. The facility will house a combination of 18,000 gallons of used motor oil, #2 diesel and K-1 kerosene. The building is a pre-engineered, metal building in a remote area with no municipal water supply available. Travel distance for the three employees is less than fifty feet, and a manual fire alarm system will be installed. After discussion, Commissioner Brenner moved to approve with the condition that the four inch containment curb be raised to provide containment for the entire 18,000 gallons. Commissioner Jones made the second. It was voted upon and carried.

- (40) 07-07-36(b) New Franklin Twp. Fire Station, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. An error was made in the calculation of the occupancy which resulted in a required exit being omitted from the second floor. After discussion of the actual number of firefighters to be on site each shift and safety concerns, Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (41) 07-07-37(a)(b) Fletcher Pointe Condominiums, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. An existing church has been converted to condominiums. A stairway is to be enclosed, but it contains an existing elevator opening which is not permitted by code. The request for (a) is to allow this opening. After discussion, Commissioner Brenner moved to approve with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow non-rated windows in loft one-hour rated unit separation walls in an attempt to admit natural light into the area from existing windows. There will be a 13R fire suppression system

with sprinklers on both side of the openings and glazing will be tempered or laminated. After discussion, Commissioner Cundiff moved to approve with the condition that nothing be installed on the windows to impede sprinkler flow. Commissioner Jones made the second. It was voted upon and carried.

- (42) 07-07-39 Earlham College Olvey-Andis Hall, Richmond

Christina Colleter, RTM Consultants, spoke as proponent. An existing residence hall is being renovated. The ceiling tiles in the corridor, according to the local fire official, do not comply with a “smooth ceiling” installation. His concern is that the sprinkler head performance will be adversely affected by the ceiling tiles that have small mesh openings. Ms. Colleter explained that the condition was in compliance with Section 8.6.7.2 of the 2002 Edition of NFPA 13. After a lengthy discussion, Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (43) 07-07-40(a)(b)(d)(e) GETRAG Project Tequila, Tipton

Tom Brockway and Nicholas Raab, Harley Ellis Devereaux, spoke as proponents. Variance (a) was a request to use the actual occupant count to determine the number of restrooms, parking spaces, etc. which need to be provided instead of possible occupancy per square footage. After discussion, it was determined that no variance was required. Commissioner Brenner moved no variance required, and Commissioner Cundiff made the second. It was voted upon and carried. Variance (b) was a request to omit the smoke and heat vents but still retain the 400 foot exit travel distance they provide. Mechanical smoke vents were declined as well. After discussion, Commissioner Corey moved to table to allow the proponents time to assemble cost/design information, and Commissioner Jones made the second. It was voted upon and carried. Variance (d) was to allow a longer travel distance to toilet facilities on the manufacturing floor. A diagram of employee density was provided which demonstrated how few would actually be affected by the extra 150 feet. Commissioner Brenner moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (e) was a request to omit sprinklers from electrical substations due to high voltage equipment inside and the possibility of leaking water. Smoke and heat detectors will be installed in these areas. Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (44) 07-07-41 Pfizer Longitudinal Flue Space in Rack Storage, Terre Haute

Brad Zelch, Pfizer Inc., spoke as proponent. The request was to eliminate the longitudinal flue space for high pile rack storage of pharmaceutical raw materials and finished goods. The area is protected by EFSR sprinkler systems. Commissioner Cundiff moved to approve with the second by Commissioner Jones. It was voted upon and carried.

5. **Discussion and Possible Commission Action.**

American Veterans Post 332  
Administrative Cause No. 06-20  
Nonfinal Order of Dismissal

North Montgomery High School  
Administrative Cause No. 07-05  
Nonfinal Order of Dismissal

Rock Lobster  
Administrative Cause No. 07-03  
Nonfinal Order of Dismissal

His Subs  
Administrative Cause No. 06-45  
Nonfinal Order of Dismissal

Commissioner Cundiff moved to accept the Nonfinal Order of Dismissal of those Administrative Causes listed above. Commissioner Jones made the second. It was voted upon and carried.

6. **Discussion and Granting of Petitions for Review.**

Jessop Amusements Inc.  
Correction Order – Elevator and Amusement Safety Division

Renaissance Bay  
Denial of Variance #07-06-28(a)

Indiana Beach Euro Bungy  
Correction Order – Elevator and Amusement Safety Division

Commissioner Corey moved to grant the petitions with the second being made by Commissioner Jones. It was voted upon and carried.

7. **2008 National Electrical Code.**

John Weesner, speaking on behalf of the Indiana Association of Electrical Inspectors, requested the Commission to begin the adoption process of the 2008 edition of the National Electrical Code when it becomes available in October of 2007. He commended the Commission keeping the Indiana Electrical Code current through the last two code cycles, and applauded the contributions of Code Specialist Raleigh Kouns for his part in this effort.

8. **Comments.**

Mara Snyder, Director of Code and Legal Services, stated that by the next Commission meeting, she hoped to have notices of intent filed for the four new codes and drafts of the proposed amendments for the members. She noted the Residential Code would have the notice of intent filed at the same time as the other codes, but no draft of the amendments would be provided at the next meeting. She also discussed how staff is now required to evaluate changes between the



current and the proposed amendments and their costs to the regulated community for the new rules and the impact of that evaluation on the process.

9. **Adjournment.**

Chairman Hannum called for any further business. There being none, the meeting was adjourned at 12:22 p.m.

**APPROVED**

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David Hannum, Chairman